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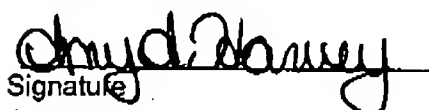
1. Appellant's Reply Brief

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of: ) Date: July 26, 2007  
John S. Wronski, Jr. ) Attorney Docket No.: F-421  
Serial No.: 09/995,218 ) Customer No.: 00919  
Filed: November 27, 2001 ) Group Art Unit: 3693  
Confirmation No.: 9211 ) Examiner: Daniel S. Felten  
Title: **METHOD AND SYSTEM FOR AUTHORIZING USE OF A  
TRANSACTION CARD**

**APPELLANT'S REPLY BRIEF TO EXAMINER'S ANSWER**

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Sir:

The Appellant respectfully submits this reply brief pursuant to 37 C.F.R. § 41.41 in reply to the Examiner's Answer filed on June 14, 2007. The Commissioner is hereby authorized to charge any additional fees that may be required for this appeal or to credit any over payment to Deposit Account No. 16-1885.

**I. Section 10, Response to Argument**

A. On page 6, second paragraph, the Examiner states that "[b]oth Langhans and Gephart are motivated by providing distinct levels of security and protection of the account(s) from improper and/or fraudulent use and seeks to limit use and/or activity within each system based upon various criteria." Therefore, the Examiner concluded it would be obvious to modify Langhans so as to allow account ownership for an individual

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providing the individual with different levels of security, instead of limiting these protections to company accounts.

Appellant submits that introducing Gephart to expand Langhans' teachings to cover individual accounts is not enough to cure the deficiencies of Langhans. In Langhans, a merchant sends a unique card number that is permanently encoded on the face of the credit card to the centralized control system to look up the card user's account to verify the card user's purchasing ability. This permanently encoded card number never changes and has no relationship to a particular transaction. Combining Gephart with Langhans does not overcome these deficiencies, and more importantly, does not invalidate the present invention.

B. On page 7, the Examiner states that claim 1 does not teach or claim the features of having an authorization code that changes from one transaction to the next. The Examiner also states that Appellant is prohibited from reading these limitations into the claims, and further states that Appellant's citations to the specification fail to show the necessary support for a changing authorization code because of the uncertainty created by the portion of the specification referenced by Appellant at page 7, lines 5-11, which states:

"The authorization parameters are types of information that may be used to identify or distinguish between different transactions."

The Examiner believes this section is indefinite because the authorization parameters are not required to distinguish between

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transactions, but are partially used to identify transactions and may even be used to distinguish between parameters, or for some totally different purpose.

Appellant respectfully disagrees with the Examiner's characterization of the claims and interpretation of the referenced specification.

Appellant submits that the claims clearly recite an authorization code associated with each transaction to purchase an item. For example, claim 1, step (1) recites: "providing a plurality of authorization parameters available for use in calculating an authorization code associated with a transaction to purchase the item." and claim 1, step 9 further recites: "a plurality of authorization parameters available for use in calculating an authorization code associated with a transaction to purchase the item." These elements indicate that the calculated authorization code is associated with a transaction to purchase an item, and must change with each transaction. This authorization code is calculated by having a user select from a plurality of available authorization parameters, which are defined in the specification at page 7, lines 5-11:

"Next, at 204, the bank 160 presents the owner 120 with a plurality of authorization parameters available for selection by the owner 120. The authorization parameters are types of information that may be used to identify or distinguish between different transactions. As examples, the plurality of authorization parameters may include: time, date, cost, location, merchant name, merchant category, item name, item category, transaction sequence number, and the like."

Further, dependent claim 4, step (1) recites: "storing a plurality of transaction authentication records at the bank where each transaction record is representative of a

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respective transaction and has associated therewith a respective authorization code."

The language cited to in claim 1 also appears in independent claims 8, 16, 18; and the language cited to in claim 4 also appears in claims 11 and 21.

Appellant respectfully disagrees with the Examiner's position that these authorization parameters are not required to distinguish between transactions. Time, date, cost, location and merchant name clearly identify a specific transaction. Consequently, these parameters change for each transaction resulting in a different authorization code for each transaction. And, one of ordinary skill in the art reading the claims in light of the specification would understand the plain meaning of the claim language to recognize that the authorization code is associated with a particular transaction, provided to the merchant, compared, and a new authorization code is regenerated prior to each transaction.

The Examiner needs to characterize the claimed authorization code as not associated with a transaction to overcome Appellant's argument concerning Langhans, because Langhans does not disclose calculating an authorization code that is associated with a transaction to purchase an item. Instead, as previously noted, Langhans teachings merely consist of transmitting a unique static card number that is permanently encoded on the card. This number does not change and is not associated with a transaction to purchase an item. Once the credit card authorization system receives this static card number, it looks up the card user's account number, identifies the hierarchical position of the card user and determines the card user's purchasing ability. Langhans' authorization code is associated with the user's card and account number - - not with a transaction to purchase an item. Appellant respectfully submits

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that the claims as drafted properly claim an authorization code that is specific to each transaction, and are not rendered obvious by Langhans and Gephart.

Appellant's Brief on Appeal addresses the remaining issues contained within the Examiner's Answer.

In conclusion, at least for the reasons stated above and those provided in Appellant's Brief on Appeal, Appellant respectfully maintains that the final rejection of claims 1-24 is in error and, therefore, should be reversed. Therefore, the allowance of this application is respectfully requested.

Respectfully submitted,



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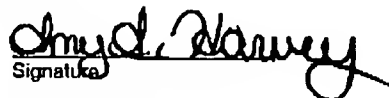
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